

FILED

MAY 04 2020

SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTH DISTRICT OF CALIFORNIA

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ROKU, INC.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

JSC

cv 20-180080MISC

Misc. Case No.

CANON, INC.

Plaintiff,

v.

TCL ELECTRICAL HOLDINGS,
INC., et al.

Defendants.

PENDING IN THE UNITED STATES DISTRICT
COURT FOR THE EASTERN DISTRICT OF
TEXAS

E.D. Texas Civil Action No. 2:18-CV-00546-JRG

**NON-PARTY ROKU'S ADMINISTRATIVE
MOTION TO FILE UNDER SEAL ITS
MOTION TO MODIFY OR QUASH
PLAINTIFF CANON INC.'S SUBPOENA AND
FOR A PROTECTIVE ORDER**

Hearing Date: June 4, 2020
Hearing Time: 9:00 am.

1 Non-Party Roku, Inc. ("Roku"), through counsel, and pursuant to Local Rule 7-11, and
 2 Local Rule 79-5, hereby moves for leave to file under seal selected portions of its Motion to
 3 Modify or Quash Plaintiff Canon Inc.'s Subpoena and for a Protective Order ("Motion to Quash"),
 4 and exhibits attached thereto, containing confidential financial and business information from
 5 Roku, including documents produced as confidential in the underlying action *Canon, Inc. v. TCL*
 6 *Electronics Holdings, Ltd.*, No 2:18-cv-00546-JRG (E.D. Tex.) ("Underlying Action"). In
 7 support of this Motion, Roku states:

8 1. Roku produced documents responsive to a subpoena *duces tecum* served on it by Canon,
 9 Inc. ("Canon"), pursuant to the protective order in the Underlying Action.

10 2. Roku produced a financial document which was designated with the highest
 11 confidentiality designation under the protective order, "RESTRICTED – ATTORNEYS' EYES
 12 ONLY." The document contains confidential information regarding Roku's finances.

13 3. As part of its Motion to Modify or Quash, Roku attached that document as Exhibit F to
 14 the Declaration of Andrew T. Radsch in Support of the Motion to Modify or Quash. Additionally,
 15 portions of the Motion to Modify or Quash and the Declaration of Kevin Bright in Support of the
 16 Motion to Quash further cite to and discuss Roku's confidential financial information.

17 4. As part of its Motion to Quash, Roku additionally discusses the confidential business
 18 relationship between it and Defendants.

19 5. Because the Motion to Quash and papers attached thereto contain highly confidential
 20 information regarding Roku's finances and business relationships, Roku seeks permission to file
 21 under seal its Motion to Modify or Quash; Exhibit F to the Declaration of Andrew T. Radsch in
 22 Support of the Motion to Modify or Quash; and the Declaration of Kevin Bright in Support of the
 23 Motion to Quash.

24 6. Roku is filing herewith a Proposed Order of its Motion to Quash.

25 WHEREFORE, Non-Party Roku respectfully requests that this Court grant it leave to file
 26 the limited selections of its Motion to Quash identified above under seal as set forth herein.

1 April 30, 2020

Respectfully submitted,

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3 By: /s/ Andrew T. Radsch

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